

GAETANO P. DELUCA

December 26, 2003

FILED
IN CLERKS OFFICE
2003 DEC 29 PM 12:45
U.S. DISTRICT COURT
DISTRICT OF MASS.

United States District Court
District of Massachusetts
One Courthouse Way
Boston, MA 02210

Attention: Clerk's Office

Dear Sir/Madam:

RE: Gaetano P. DeLuca v. Town of Hingham, et al.,
U.S. District Court
District of Massachusetts
Case No. 03 CV 12592 REK

Referencing the above captioned matter, enclosed please find
a corrected copy of page 42 of the Original Complaint.

Specifically, I have made corrections to paragraph 167 which
have been made necessary due to an error in transcription.

Accordingly, would you please substitute this amended copy of
page 42.

Very truly yours,


Gaetano P. DeLuca

Enclosures:



140 HIGH STREET • HINGHAM, MASSACHUSETTS 02043
TELEPHONE 781-749-7624

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166. On December 16, 1986 after performing Percolation Tests
2003 DEFENDANT^{12:15} getting the same refusal from the Board of Health,
U.S. DISTRICT COURT
DISTRICT OF MASS.
Refused any testing that we performed.

Mr. Bosco the Board of Health Representative was present as a witness to the Percolation Testing.

After being rejected by the Town of Hingham Board of Health we advised Brian Lewis that we were unable to convince the Board of Health to accept our Percolation Testing and we both withdrew our agreement.

167. On April 3, through April 29, 1987, Brian Lewis obtained the following approvals:

Brian Lewis had Perkins Engineering, Inc., draw up a plan for, "Approval Under the Subdivision Control Law Not Required."

Brian Lewis filed his "Application for Endorsement (Form A) with the Planning Board."

The Planning Board (7) days later stamped the plan approved. See Paragraphs 35 and 36 above.

Mr. Bosco in one year gave the Plaintiff (1) passing Percolation Test.